Application for Counsel Fees in Diverce Suit Brings Out Personal Advertisements That the Corespondent Huntoon Is Alleged to Have Had Printed.

The suit brought by James B. Duke, president of the American Tobacco Company, for an absolute divorce from Lillian Duke, formerly Mrs. McCreedy, whom he married at Camden, N. J., on November 28, 1904, came up yesterday before Vice-Chancellor Henry C. Pitney in Chancery Chambers, Jersey City, on the application of Samuel Kalisch and Chauncey Parker, counsel for Mrs. Duke, for alimony and \$10,000 counsel fees.

After hearing affidavits filed by the plaintiff and servants in the Duke family bearing on the alleged relations between Mrs. Duke and Frank T. Huntoon, the sixty-seven-year-old corespondent, the Vice-Chancellor said that he would allow the lawyers \$3,000 and would grant them leave later to apply for additional fees if hey could prove they were put to extraordinary expense or unusual effort in the defence. The venerable Vice-Chancellor took occasion during the hearing to remark when the age of the corespondent was mentioned, that "all the world loves a lover, even if he is 67 years old," and later said that the affidavits had not proved that Mrs. Duke was unfaithful, although a strong disposition was shown.

Mr. Duke declared in his affidavit that mmediately after his wedding he and Mrs. Duke came to New York from Camden and went to the house at 11 West Sixty-eighth street, which he presented to his wife as a wedding present. They sailed for Europe on their honeymoon two days later. He alleged that Huntoon communicated with Mrs. Duke between December 8, 1904, and January 29, 1905, by means of "personals," which were published in the New York and Paris editions of the New York Herald. Copies of the papers were produced and the personals were read by Richard V. Lindabury of counsel for Duke. Here are

Lenging for cable announcing your arrival. Your prophecy proved true knew how essential you are to my happiness.

Wrote maid yesterday. Cable received.
Sentiments made me much happier. if condition serious go to you at once. Can nurse you back to happiness. Not too late unless you are contented with present surroundings. That is impossible, isn't it? One year from yesterday should be our

anniversary. London letter hugely enjoyed. At your home all is sad and lonely. Vacant chair recalls absent one. Your house pets are well. The bird sings sweetly. I dream

every night you will be mine forever. Don't Oh, memories that bless and burn! This separation is killing. Please don't wear low necked dresses. Shall enjoy your house until octopus returns, when that pleasure

Mr. Duke denied Mrs. Duke's allegation that he is worth \$50,000,000 and admitted that he is worth \$10,000,000. He said he arranged when he went abroad last August arranged when he went abroad last August that his wife should be supplied with funds and he also provided her with means to meet the interest due on a mortgage on her house. He declared there is no truth in the counter charges made by his wife involving the name of Mary Smith, who is employed at his New Jersey residence, and said that Mrs. Duke had made damaging statements for the purpose of injuring his reputation. The corespondent, he alleged, is a mineral water agent, who was once a prefessional secretary.

water agent, who was once a preferational gambler.

Nellie Sands, Mrs. Duke's maid, who accompanied the pair on their bridal trip abroad, said in her affidavit that Mrs. Duke handed her a telegram addressed to Frank T. Huntoon on the night of the wedding and directed her to send it. She asserted that while in Europe Mrs. Duke sent letters and cablegrams to Huntoon. The maid swore she knew Huntoon's handwriting and swore she knew Huntoon's handwriting and sometimes received letters addressed to her by Huntoon which she delivered to her mistress without breaking the seals.

Henry Ruppert, Duke's private secretary, he also took the journey abroad, deposed who also took the journey abroad, deposed that he too had filed cablegrams and mailed letters written by Mrs. Duke to Huntoon. letters written by Mrs. Duke to Huntoon.

Mrs. Lillian Davis, housekeeper at Mrs.
Duke's house in West Sixty-eighth street,
swore that her mistress notified her just
before she departed on her honeymoon
that Huntoon could stay at the house as
long as he liked and occupy Mrs. Duke's
room while she was away. She added that
Huntoon availed himself of the privilege
on several occasions, including the Christmas of 1904, when he remained two days.
Mrs. Davis said that she received a wireless message from Mrs. Duke on February
7, 1905, saying that she and her husband
were off Sandy Hook and would be home
on the following day. The housekeeper
then told Huntoon that they were coming, on the following day. The housekeeper then told Huntoon that they were coming, and he went away after giving her money with which to buy a big bunch of flowers. She said Huntoon directed her to inform Mr. Duke the flowers had been left by friends whom she didn't know, but to tell Mrs. Duke the identity of the donor.

Mr. Lindabury vigorously

Mrs. Duke the identity of the donor.

Mr. Lindabury vigorously opposed the application of Mrs. Duke's lawyer for a \$10,000 counsel fee. He said Mr. Duke had made his wife a present of \$250,000 worth of real estate and money. He insisted that Mrs. Duke's defence had not been entered in good faith and contended been entered in good faith and contended that an attempt had been made by the defendant to delay the case with the idea in view of securing a money settlement.
The request for a \$10,000 fee seemed to strike the Vice-Chancellor as humorous.
When Mr. Kalisch had finished telling that

money would be needed to pay the passage of some witnesses from Europe to this country to testify in the case, the jurist

"This reminds me of a story of King George IV. He was in the habit of travel-ing around incog, with some of his courtiers, and one day while on one of these trips he stopped at an inn for lunch. He thought that nobody knew who he was, but some of the servants recognized him as the King. He ordered eggs, and when the bill was brought he was surprised to see that he had

been charged a guinea apiece.
""Eggs must be scarce in this part of
the country,' he said, addressing the innkeeper.
"'Not as scarce as kings,' was the reply.

"'Not as scarce as kings,' was the reply.
"Evidently dukes are pretty scarce,"
said the Vice-Chancellor, joining in the
ripple which went around the room.
"Allow me to inform your Honor," remarked Mr. Kalisch, "there is a tobacco
king in this case."

The lawyers for the defence withdrew
their application for alimony and the Court
cut down their request for \$10,000 counsel
fees to \$8,000.

fees to \$8,000. The case will be continued in April at a date to be fixed later.

DENMARK BACKS EXPLORER.

Gives \$36,000 to Erichson, Who Will Use Auto in North Pole Dash. Special Cable Despatch to THE SUN *COPENHAGEN, March 21,-The Budget

Committee of the Folkething has indorse the Government's proposal to appropriate \$36,000 for Mylius Erichson's projected expedition to northeast Greenland, whence he will attempt to reach the north pole.

The most interesting and adventurous part of Erichson's scheme will be an attempt to dross the inland ice where Greenland is the widest by means of skis, dog sledges and an automobile. The attempt will be made in the spring of 1908. Should Erichsen succeed his feat would

ecolipse Dr. Nansen's much more southerly crossing, and Lieut. Peary's expedition on the northern slopes, where he had the advantage of communication with the coast.

Erichsen contemplates crossing the un-known toe dome, 10,000 feet high. He has secured the exploring steamer Belgica, which has been renamed Denmark. He will sail from Copenhagen July 1.

FOND MESSAGES TO MRS. DUKE BUY A BAROM! BUY A BAROM! PACKERS'IMMUNITY PLEAWINS

And if You Want Any Weather Make It

"What's that which blows across the sky?" said the Bureau-on-Parade. "It is a cloud, it is a cloud," the Chief Forecaste said. "And shall we signal 'watch for storms'?' said the Bureau-on-Parade, "Hell. 'weather just hang out the Chief Forecaster said. For they're guessing at the weather, cold or sultry, cool or hot, just jab your pencil anywhere and you'll strike it, like as not. Just swing the old barometer, you'll get a reading -what? They're guessing at the weather

in the morning. "And what's the tube a-reading now?" publication-sure?" the Chief Forecaster

"No honest Injun, cross my heart," said nine, point, six," the chief forecaster said. For they're guessing at the weather and they're guessing deep and hard. Twice charged seven minions stand the old barometer to The in guard, for its deep and fateful reading is a secret on the card while they're guessing at the weather in the morning.

"Who's that who glowers by the door? said the Bureau-on-Parade. "He represents the public press," the Chief Forecaster said. "And shall we give the readings as to the corporations, the artificial persons; out?" said the Bureau-on-Parade. "Say, do you want to spoil the snap?" the Chief Forecaster said. For they're guessing at the weather, you can hear the brain wells go, and there's the old barometer a-reading High" and "Low," but if the public saw it then the public sure would know how they're guessing at the weather in the tion. The ruling of the Court was that morning

ALAS! NO BAROMETER. Orpheus Visits the Unpleasant World, Vainly Seeking. What shall I do without Eurydice?-Orphie au

Local Weather Prophet Emery was visited by a reporter for THE SUN shortly after a o'clock yesterday afternoon. He officially reads the barometer at that hour. THE SUN man asked what was the result of his study of the aperoid.

"For publication?" asked the weather "Certainly," was the reply.

"I'm sorry, but I cannot give it to you." "Can you give me any reason for declining to make the reading public?"

"Nothing to say," said the weather man. There are hundreds who are interested in the official reading of the barometer in this city, and among these are sailors and those interested in marine life and citizens, too, who are anxious about the weather in order to transact their business properly and perhaps avoid serious loss through a knowledge of what may be expected.

John L. Bliss, the nautical instrument man, probably knows as much about the peculiarities of the weather as any man in town. Mr. Bliss some time ago studied with Lord Kelvin in order to familiarize himself with the valuable instruments that have been made by that scientist. Mr. Bliss said to a Sun reporter yesterday afternoon:

"The official readings of the barometer of the Weather Bureau are of immense evalue not only to the sailor but to the landsman. Many captains and ma tes while in the harbor keep records of the readings of the instruments on their ships hourly, and if they can procure the readings of the bureau corrected to sea level they can check their own instruments or find out A barometer, whether mercurial or aperoid a delicate instrument which can easily get out of order. It is important to have all instruments accurate, especially in navi-

gating.
"For the landsman, if the readings at the "For the landsman, if the readings at the many weather stations can be had, an idea can be formed of what weather we may expect, but a single reading at just one station is worthless. A man who has a barometer in his house may look at it in the morning and see that it is high and points to dry. Before he gets back home in the afternoon he may be caught in a rainstorm and he'll promptly say 'that instrument is no good.' If, however, he can read in his morning paper how the barometer stood at different points over barometer stood at different points over the country he might see that the previous sfternoon there was a low pressure over Montana, that some hours later the low pressure reached Chicago and then went on to Cleveland and Rochester and would be due here at a certain time. It is a fact that storms travel against the sun or from west to east, and a low pressure is always preceded by a high pressure. The atmosphere is like a pillow. If there is a depression at one point it will bulge out at another, usually each side of the depression, and a high barometer is often an in-dication that a storm is coming, but that we may know that surely the readings of other points west of here must be made

King of Italy Congratulates Alfonso.

Special Cable Despatch to THE SUN. ROME, March 21.-The King and Queen have sent their congratulations to King Alfonso and will be represented at his marriage by the Duke and Duchess of

The Weather.

The first day of spring opened with clear wea the in all the States east of the Rocky Mountains, ex-cept for a few snow flurries about the Lake regions. In the Rocky Mountain districts it was cloudy and threatening, with a storm developing on the North Pacific Coast. There was a storm of some force central over Lake Superior, moving eastward into Canada; high winds prevailed in the upper Missis-

sippi Valley and throughout the Great Lakes.

There was a general rise of temperature after the early morning in all the States, especially east of the Mississippi River, where it will be still warmer The pressure was high in the Gulf States In this city the day was fair and became much

armer; winds, fresh southwesterly; average humidity, 61 per cent.; barometer, corrected to read to sea level, at 8 A. M., 29.96 and failing; at 3 P. M., an official secret of the United States of America. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed

WASHINGTON FORECAST FOR TO-DAY AND TO MORROW For eastern New York, fair to-day, except snow and colder in north portion; fair to-day, except snow and colder in north portion; fair to-morrow and colder in south portion; brisk southwest to west winds. For New England, fair in south, snow and colder in north portion to-day; fair and colder to-morrow; to high southwest shifting to northwest

For the District of Columbia, eastern Penn sylvania, New Jersey, Delaware and Maryland, fair to-day and to-morrow; fresh to brisk west

For western Pennsylvania, fair and decidedly colder to day, preceded by snow along the lake; fair to morrow; brisk west to northwest winds. For western New York, snow and decidedly colder to-day: snow flurries to-morrow.

Rare wine from a tin cup would lose its charm.

Your most earnest business argument lacks in power when written on poor paper.

OLD HAMPSHIRE BOND "Look for the Water Mark

is good paper. We do not say it's the best. Ask your printer about it-he knows.

Ask to see the Book of Specimens.

INDIVIDUALS GO FREE; CORPO-Special Cable Despatch to THE SUN. RATIONS HELD FOR TRIAL.

tion Obtained by Commissioner Garfield Was Not Voluntarily Given, but Was in Response to Government's Demand CHICAGO, March 21 .- Judge Humphreys of the United States Federal Court decided late this afternoon that the individual packers indicted for alleged violation

Judge Humphreys Decides That Informa-

to immunity from prosecution under the said the Bureau-on-Parade. "It's not for provision of the law creating the Department of Commerce and Labor. The opinion was handed down at the close of the argument of Attorney John the Bureau-on-Parade. "It's thirty, twenty- S. Miller for the packers, and the defendants, who, since their indictment have been under heavy bonds, were ordered dis-

of the Sherman anti-trust laws are entitled

The indicted corporations must stand

The final ruling of the court was in the following words, instructing the jury: "Under the laws in this case the immunity pleas filed by the defendants will be sustained as to the individuals and denied and you will find in favor of the Government as far as the corporations are concerned, and against the Government as far as the individuals are concerned."

One of the first points decided was that under no consideration would it be held that the defendants volunteered informaall of the testimony was compelled. The Court also held that the crucial point in the case was the conference at the Chicago Club in April, 1904, when Commissioner Garfield was introduced to the packers.

The decision in part is as follows: "The Commerce and Labor act provides for immunity and refers in detail to the Cullom and other acts. There is no adequate provision in the Commerce and Labor act itself, but other acts must be regarded as part of it.

"The primary purpose of the Commerce and Labor act is to acquire information for remedial legislation. Congress wanted to know how the existing laws were operating and what more were needed. purpose was that the creatures of the law should not grow beyond the law.

"There are already abundant laws for punishing offenders. I am of the opinion hat under this act the Commissioner has the power to force testimony. It is the duty of witnesses to speak before they are driven to the last ditch by compulsion. "Privilege of not answering questions must be claimed at the time the questions are put, but immunity from criminal prose-cution flows from the law.

"It would be absurd and un-American to

favor those who resist the law in preference to those who obey it. Therefore I am of the opinion that the defendants are enitled to immunity Immediately after the decision was announced the question of when the corporations should be tried was taken up. It will probably not be until September.

The individual defendants were J. Ogden Armour, Louis F. Swift, Edward Morris, Charles W. Armour, Ira H. Morris, Edward F. Swift, L. A. Garton, D. E. Hartwell, Edward Cudahy, Arthur F. Evans, Robert C. McManus, A. H. Veeder, Patrick A. Valentine, T. J. Connors, Arthur Meeker and Charles N. Swift tine, T. J. Connors, Arthur Meeker and Charles N. Swift. The corporation defendants were the

Armour Packing Company, Morris & Co., Cudahy Packing Company, Fairbank Can-ning Company, Swift & Co. and J. G. Humphre Reviewing the salient features of the case,

of the points involved The Government began its activities directed toward a prosecution of the packers and packing corporations in the summer of 1904. Shortly after the Commissioner of Corporations had begun work on his investi-gation at the instance of Congress. In November of that year the Federal officers at Chicago and fifteen other cities

acting simultaneously served subpornas upon some 275 witnesses, some railroad men, some packing house clerks, some cattle men, some traffic managers, and some officials of defunct packing com-panies and prepared for the presentation of a case before the Grand Jury.

HARLEM FOX HUNT. Escaped Pet Leads a Lively Chase for Dogs and Workmen.

Some one is mourning to-day the loss of handsome young fox, and incidentally Mr. Fox himself pines over the curtailment of a well developed brush. The facts are these: The contracting firm of Sherry & Gleeson are blasting at 122d street and Morningside Heights for a number of apartment houses. The rocks are high and the

While the noise of a dozen steam drills and the shouts of teamsters were at their height yesterday, the sharp nose and pointed ears a fox, the pet of some woman, peered from

of a fox, the pet of some a sheltering bush.

"Hey, pike the dorg," suddenly cried Johnny, the water boy. He shied a stone. The aim was good and with a yap the "dorg" broke cover and appeared in plain sight. "Darky Joe," the driller, had seen sight.

"Come on, boys, and we'll git the bresh," he shouted, and the chase was on. At 118th street the fox doubled on his pursuers and for a time the trail was lost.

Then George Lawler, night watchman, including the chase with his pack of hounds."
The dogs picked up the trail and the chase started back again through back yards and

started back again through back yards and over the rocky ledges to 122d street. The quarry ran up a steep ledge in an endeavor to hide. The small army of men and boys and dogs surrounded him and cut off all escape. But the blood of his ancestors was up in Mr. Fox and he was equal to the occasion. With a leap, he cleared the heads of his tormentors and landing in a bank of snow twenty feet below, was away like a

streak Carlo, a dog of questionable origin, gained on the fox so much that the fluffy brush tickled his nose. The temptation was too tickled his nose. The temptation was too much and his dogship snapped. Six inches of tail was snipped off. When the fox got through with Carlo that six inches of tail had cost the dog an ear. In the excitement old Joe had closed in. He made a grab. There was a wild scramble, and when Joe woke up in a snowbank at the foot of the bluff Mr. Fox was hustling for Broadway. There the fox miscalculated. He way. There the fox miscalculated. He ran into a fence corner too high to jump

and was pounced upon.

Miss Adelaide Simpson of 1990 Seventh avenue notified the police of the West 125th street station last night of the loss of one of a pair of white Alaskan foxes. The animals were sent to Miss Simpson by her brother in the Klondike, and are valued at \$200 each. The police are now trying to locate Darky Joe, to whom the fox was intrusted.

W. ROCKEFELLER'S ILLNESS. Able to Be About in Paris-Not to Return to This Country Soon.

Special Cable Despatch to THE SUN

PARIS, March 21 .- William Rockefeller is freely about the city. He was at his office in the Boulevard Haussmann to-day. To an interviewer he said that his plans were unsettled, except to the extent that he and feel better in every way. had no immediate intention of returning to the United States.

Pope to Remove Unpopular Vicar of Rome. Special Cable Despatch to THE SUN.
ROME, March 21.—Owing to the unpopularity of Cardinal Respighi, Vicar of Rome, it is rumored that the Pope has consented to his removal and his appointment as Archbishop of Ancona. Cardinal Vannutelli is likely to succeed him.

Candidates Chosen in Independent Factories Fromptly Arrested.

St. Petersburg, March 21.—The primary voting for delegates to represent the workmen in the final election for members of the Duma demonstrated that the State controlled factories throughout the country are the most active centres of the revolutionary propaganda. The employees are against using their votes and are openly nostile to the Duma.

The men in the Obouchoff ordnance foundry, near St. Petersburg, where 12,000 hands are employed under the direction of the Ministry of War, refused to choose electors. The workmen in the Government's principal cartridge factory at Tula refused to choose any of the five delegates allowed under the electoral law. The workmen in the imperial raitread workshops at Wanovo and Vosnessensk also refused to participate in the election. The employees in several of the leading independent industrial enterprises adopted the same attitude.

The men in Siemen & Halske's electrical works here explained their refusal by saying that as soon as they canvassed the claims of any candidate he disappeared from the works and eventually was obliged to quit the locality. There are numberless reports of such interference by the political police throughout the country.

The elector chosen by the peasants of Simferopol is a school teacher. He was imprisoned on a political charge immediately was elected. The peasants refused to elect another delegate.

An insignificant minority of the peasants participated in the elections in the provinces. In the Ustujna district of Nijni Novgorod only 1,000 received election notices, although 8,000 were entitled to vote. A petition for a new election has been prepared in this district.

Where the urban workmen voted, as in some factories in St. Petersburg and Moscow, the Constitutional Democrats almost invariably elected their candidates

RUSSIAN EDITOR TO PRISON.

M. Natovitch's Paper Suppressed and He

Must Serve a Year. Special Cable Despatch to THE SU ST. PETERSBURG. March 21.-The Novosti has been permanently suppressed for violating the press laws. M. Natovitch, the editor, has been sentenced to a year's imprisonment in a fortress.

TO AID TCHAYKOVSKY. Russian Revolutionist Receives Many Offers of Help Here.

Nicholas Tchaykovsky, Russian revolutionist, received yesterday at his room in the Broadway Central Hotel many sympathizers with the cause that he has come here to promote. Representatives of Socialistic and workingnien's organizations and men of influence not identified with any sort of radicalism in America, called to express their sympathy with the movement. Tchaykovsky said that there would be a mass meeting at the Grand Central Palace, probably on Tuesday or Wednesday, to enlist the sympathy of all Americans of what ever political affiliations in the struggle for freedom in Russia. He said that the forty "intellectuals," many of whom are former officers of the Russian army and navy, were in Stockholm and would arrive

in New York soon. He said that he had received no additional information in regard to the execution of Lieut. Schmidt and the rumor of a revolt am ong the naval forces at Sebastopol. He explained that the Russian revolutionists had some time ago decided to glorify Lieut. Sch midt. He was not a German, as had been reported, but a native Russian of German ancestry. He had separated from his wife, who was an ultra-conservative his wife, who was an ultra-co and could not agree with him. a boy, who is now 18 years old and a revolu-tionist of the most radical type. Lieut, Schmidt himself was broad minded and not an extreme radical. He refused to identify himself with any of the Russian revolutionary parties, but he sympathized with all of them.

The revolutionary exiles in Geneva had published postal cards with Lieut. Schmidt's picture and his utterances while he was in command of the revolutionary squadron. These are being sold to help along the principles for which the Lieutenant died. He is already on the roll of Russian martyrs of liberty and, Tchavkovsky said, of hu-

FUND FOR ELLEN TERRY JUBILEE London Newspaper Appeals to All Drama

Lovers for Shilling Subscriptions. Special Cable Despatch to THE SUN. LONDON, March 22 .- The Tribune has started a shilling subscription fund for the Ellen Terry jubilee celebration, the form of which has not yet been decided upon. The paper heads the list with a subscription of 5,000 shillings (\$1,250).

It appeals to lovers of the drama all over the world to make the fund a success, and says it will welcome single shillings as much as gifts of thousands. It wishes to enable the poorest patrons of the theatre to share in the demonstration.

Nansen to Be Ambassador at London. Special Cable Despatch to THE SUN.

COPENHAGEN, March 21 .- Fridjof Nansen the Arctic explorer, who was appointed Norwegian Minister at London last November, has now been raised to the rank of Ambassador. C. Hauge, formerly Secretary of the Swedish and Norwegian Legation at Washington, and later Charge d'Affaires for Norway there, has been appointed Minister.

> POSTUM CEREAL. A TORPID THINKER

The Frequent Result of Coffee Poisoning.

A Toledo, O., business man says that for three years he had no appetite for breakfast; that about once a month he ate solid food at that meal, generally contenting himself with his cup of coffee and having no desire for anything else.

Coffee frequently plays this dog-in-themanger trick; while it furnishes no nutriment itself, it destroys the appetite for food which is nutritious. The result was, in time, a torpid mentality, which was a distinct handicap in his business operations.

"Last Christmas," he says, "I consulted my brother, a practising physician in Chicago, and he advised a diet of Postum Food Coffee, instead of the old kind, and also Grape-Nuts food. Since that time I have followed his advice with most excellent results. My brain is active and only slightly indisposed, and has been going clear in the morning when it naturally should be at its best; I no longer have the dizzy spells that used to make me apprehensive; I have gained materially in flesh

> "The Postum seems to be no less a food than the Grape-Nuts, and the two together fill all requirements. My wife has tried several of the recipes in your little booklet and we have enjoyed the result, but to my mind Grape-Nuts food is best when served with sliced fruit and covered with cream." Name given by Postum Co., Battle Creek, Mich.

> There's a reason. Read the little book, "The Road to Wellville," in pkgs.

FEW RUSSIAN WORKMEN VOTE. | SPLIT IN FOWLER COMMITTEE

NO AGREEMENT AS TO WISDOM OF SUING HAMILTON. Dissension May Spread to the Board of

Trustees-The Judge Refuses to Appear Before the Housecleaners-Adds Another Chapter to Cable Loan Row There is a serious difference of opinion in the New York Life Insurance Company's

self-investigating committee. One member, it is understood, regards the company's action in bringing suit against Hamilton without waiting to hear from him as hasty and ill advised. Hamilton was served only with a summons, and it is said that the members of the

Fowler committee don't know definitely yet what is to be charged against him in the complaint. The events of the last week-Hamilton's assertions in regard to responsibility of the New York Life's auditing committee and of the trustees in general for the payments which were made to him-have in a measure discounted the findings of the Fowler committee, and it is understood that the objecting member believes that the whole matter ought to have been threshed out again before any definite action was taken. Every effort is being made by members

of the committee to keep things harmonious, but the continued attacks by Hamilton have had their effect. Persons familiar with the New York Life situation said yesterday that they would not be surprised if the difference of opinion in the Fowler committee reacted to the board of trustees itself.

Some of the trustees feel very strongly now in regard to the question of bringing a suit against John A. McCall's estate, and any attempt to push through a resolution authorizing such an action would undoubtedly start a bitter factional fight. No name was mentioned yesterday in connection with the dissension in the committee, but it was recalled that Judge Andrew Hamilton has several times spoken of Hiram R. Steele as a man who had all ways been fair and impartial.

Hamilton yesterday sent his reply to the Fowler committee's invitation to appear before it. The letter is addressed to Clarence H. Mackay, acting chairman of the committee. Here it is:

Gentlemen: I am replying to the only com munication received by me from your body

since my return. It is doubtless quite evident that by this time you should be yourselves setisfied that the statements contained in your report of February 7, 1906, in regard to your examina tion of my accounts are seriously wrong, and that when you rushed into print in order that you might wear a newspaper halo you had not, as your report incorrectly states, tained all the information about this subject

that is accessible.' Your published interviews, which I take t be correct because I know the facts so covered, betray a startling loss of memory during your deliberations upon the subject of the weekly audit for years of my accounts by some members of your committee, and from me to time by other members of the board of trustees.

Documents in the company's office files (i they have not been suppressed), official action spread upon the records of your proceedings and correspondence to which you must certainly have had access have been deliberately ignored by you to give to the Paris policy fee account and to the refunded New York premium tax collections a false color upon which to base your unwarranted accusations Notwithstanding this I was prepared to accept the suggestion contained letter-"Will you walk into my parlor? says

the spider to the fly"-when you, practically retreated from your position in choosing to proceed by the commencement of a civil action against me. I can appreciate that the events of the last week, so far as I have participated in them are not, perhaps, calculated to put you in a judicial state of mind. I will therefore accept your latest challenge and meet you in a tribunal where there will be no vanity

to be tickled and the scales will be held on an even balance. Yours truly ANDREW HAMILTON. The Fowler investigating committee held meeting soon after the letter was delivered to Mr. Mackay, but the committee-

men refused to discuss it. Hamilton came back again yesterday at Clarence H. Mackay. "When I stated yesterday," said he, "that Mr. Mackay's memory was evidently very short or he would have recalled meeting me in 1905 I was misunderstood. I was quoted as having said that Mr. Mackay was acting in behalf of the Commercial Cable Company, of which he is the executive head when he made a loan of about \$2,000,000

when he made a loan of about \$2,000,000 from the New York Life. What I meant to say was that he represented the Commercial Cable Building Company.

"Now, Mr. Mackay, in denying that he met me, said he had not negotiated any loans for the Commercial Cable Company in the last ten years and that my statement must be false. That was a quibble on Mr. Mackay's part.

ment must be talee. That was a quibble on Mr. Mackay's part.

"What happened was that the late John A. McCall summoned me into his office one day in 1905 and told me he wished to introduce me to Mr. Mackay. Mr. Mackay soon came in and Mr. McCall told me that he (Mackay) was negotiating some loans. soon came in and Mr. McCall told me that he (Mackay) was negotiating some loans. "Mr. McCall said: 'Now, Judge, you have met Mr. Mackay and I hope you will make your fees for examining the titles of the security for these loans smaller than usual, because Mr. Mackay is one of our

"The full amount of the loan was \$1,850,000. The charge for my services would ordinarily have been \$4,475. On account of Mr. McCall's request, however, I reduced the charge by \$2,975, which amount Mr. Mackay saved.

Mackay saved.

"The consent to mortgage the building is on file, and it shows that all but a very few shares in the building company are owned by the Mackay family."

Mr. Mackay referred all callers yesterday to his counsel, William W. Cook of 44 Wall extent. Mr. Cook said:

Mr. Cook said: "The title of the Commercial Cable building property was guaranteed by a title company. When the question of the loan came up I told the treasurer of the New York Life Insurance Company that there was no occasion for an enormous fee for escarching the title, because it was guaranteed, and before we accepted the loan anteed, and before we accepted the loan from the insurance company I arranged with the treasurer as to the amount of the

"There was no favor about it on Mr. Hamilton's part or on the part of anybody else. It was a condition precedent to our taking the loan. I made that arrangement myself, and I am very sure Mr. Mackay never saw Mr. Hamilto in connection with it. In fact, I never saw Mr. Hamilton myself, the arrangement being made direct with the treasurer of the insurance com-Mr. Cook declared that Mr. Mackay had

othing to do with the negotiation of "I know," said the lawyer, "that Mr. Mackay never borrowed a dollar in his life from the New York Life Insurance Company

Another Hearing in Everhart's Case. Special Cable Desputch to THE SUN.

LONDON, March 21.-The case of Franklin Everhart and Harry S. Simon, the Americans accused of conspiracy to defraud, was up in the Guildhall police court again to-day. The printer whom Simon employed to forge some signatures to the stock certificates of one of the mining companies he pretended to represent detailed the instructions Simon gave him. After a long hearing the case was adjourned till Monday.

The Old Reliable ROYAL BAKING POWDER

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There is no substitute

WOMAN CARD SHARP ABOARD? KAISER'S PASSENGERS TELL OF

A TUMULT AT BRIDGE. Little Woman in Black Got the Other Women's Money in the Vienna Room and a Notice Was Put Up Warning

When the passengers landed from the North German Lloyd steamer Kaiser Wilhelm II., which arrived yesterday from Bremen, they told a tale of a female card sharper who had appeared in the Vienna room the second day out and won considerable money from other women.

Ladies Not to Gamble With Strangers

According to all accounts, she was small, dressed in black and accompanied by a tall, good looking man who seemed to b English. After making a few acquaintances among the passengers the two went to the Vienna room, which is frequented almost entirely by women. There a game of bridge was suggested.

The woman in black was one of the players, while her companion stood watching the game. Before long the stakes were raised to five cents a point and things became interesting.

The woman in black proved to be an adept, particularly when it came to guessing what cards the others held. Her knowledge was so surprisingly accurate that the other players ind the bystanders began to watch her. They noticed that she smiled at the Englishman a good deal. Transferring their attention to him, they saw that he made peculiar sorts of motions with his hands, just the kind that could be attributed to nervousness.

But the motions seemed to be interpreted by the woman in black and her particularly good plays always followed them. After watching long enough to be certain one of the women in the game accused the woman in black of cheating. The game broke up amid great excitement before any one had lost a fortune, but the

tumult which the discovery started was quelled only by the arrival of the officers. The next morning the following notice appeared on the door of the Vienna room. signed by Capt. Hogemann: WARNING.

Certain things have come to my knowledge passengers, and especially ladies, are warned against playing games of chance with stran gers. The woman in black and her companion were inconspicuous for the rest of the trip.

When they appeared they were ostracized by the other passengers. Capt. Hogemann refused to discuss the story, but the passengers stuck to it.

UNTERMYER TO LAWMAKERS.

Tells Onto Committee That Ousting of Pres ent Officials Is Most Important. COLUMBUS, Ohio, March 21.-Samuel Untermyer, counsel for the international policyholders' committee, delivered an address to-day before the Insurance Committee of the Ohio Legislature. Mr. Untermyer

the chairman of the committee and by Ohio policyholders' organizations. The address was delivered at a hearing on the new bills which have been introduced in the Legislature. The bills include many of the recommendations made by the Arm

was invited to come on from New York by

strong committee of New York State. Mr. Untermyer, after going briefly into the history of the insurance scandals, said "And now, when as the result of these exposures which have followed the mere scratching of the surface of this bottomless sink of corruption it is proposed that there shall at last be an election for trustees as contemplated by the c arters of these companies, at which the will of the real owner of these properties shall be registered, what do we find the attitude of these recreant and self-constituted custodians of

"Do they welcome the opportunity to "Do they welcome the opportunity to make account of their stewardship as does every honest trustee?

"Hardly that. They openly oppose the legislation. They actually employ counsel at the policyholders' expense to persuade the Legislature that it is not to the interest of the policyholders that they be allowed

to exercise the rights reserved to them by the charter. "But that is not all, nor is it the worst. An election in one of the companies is near at hand. The helpless policyholders think they would like to take a hand in that election. They ask the officers for leave to communicate with one another. The management refuses. They appeal to the management refuses. They appeal to the courts. The management employs counsel with their money. They win in the court below. The management appeals with their money and they are defeated. With unconscious irony as fine as anything in the literature of the law the learned Appellate Court says to the policyholders at whose expense these lists were compiled and to whom they belong: "These lists would be a valuable asset in unscrupulous hands—as though it were possible they could ever get into more unscrupulous hands.

get into more unscrupulous hands.
"A prompt and radical change of manage ment is more important than any other part of your proposed legislation. Pread of the management and impatience to be rid of it are the dominating thoughts in the

minds of the policyholders. All else is of secondary importance." ISCHIA ISLAND TREMBLING. nhabitants Camping Out, Fearing Another

Disastrous Earthquake. s ecual Cable Pespatch to THE SUN ROME, March 21 .- Two warships have een sent to the island of Ischia, where earthquakes have occurred, to take off the inhabitants, if necessary. Almost the entire population is encamped in the open air and great anxiety prevails in consequence of frequent shocks, which vary in intensity.

The island of Ischia is sixteen miles southwest of Naples, is twenty miles in circum-ference and has a population of 27,000. If was visited in 1883 by a disastrous earth-quake, which destroyed the town of Casamicciola. It has since been rebuilt.

Tablet in Honor of Revolutionary Forge. The New York Society of the Daughters. of the Revolution has decided to place a tablet at Tuxedo Park to mark the site of the old forge where was made the chain stretched across the Hudson at West Point in 1777. The tablet will be set up with appropriate exercises on Memorial Day. The forge, which is now in ruins, is said to be one of the oldest in the country. It was built by Lord Stirling in 1751.

New York, for New York, was 600 miles south of Sable Island at 10:30 P. M. yesterday.



ESTAB-

OVER

SOLID, practical qualities have given the Covert Coat a longer vogue than any style of overcoats except the Sack. Its short length permits freedom in walking - the cloth withstands any amount of knockahoutwear It is an ideal Outing Coat admir. ably adapted to young men. andmi

Tan \$17 to \$28. SUBWAY STATION AT OUR DOOR -

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Separate compartments for storage of furniture, planes, paintings, baggage, etc.
Furniture and works of art boxed and shipped to all parts of the world. Freight-charges, advanced on goods consigned to our care. our care.
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pecial department for removal of

SEND FOR ESTIMATE.

WINCHESTER'S HYPHOSPHITES SPECIFIC PILL NO C.O.D. OR TREATMENT SCHEME. Send for free scaled paraphlet containing full particulars and testimonials from Physi-cians and L. gmeti. Winchester & Co., Chemists., Bst., 1858, 1 582 Beekman Bldo., N. Y. City.

FRENCH MINERS THREATEN.

Call for More Troops in the Courrieres District. Where Strike is Onchino

Special Cable Despatch to THE NUN. Paris, March 21.-A despatch from Lens says that a crowd of striking miners tried to rush officers who were leaving Pit No. Tof the Courrières mine, but a sentry alarmed the guard, and the miners retired. Gen. Debois-Rouvray has requested reenforcements to the number of 1,000 men, as serious listurbances are anticipated.

There are now two miners unions; the old and new. The members of the old are called Baslycots, because they follow one Basly as their chief; the members of the neware called Broutch ouristes, because they follow Broutchoux, who was arrested at Lens last night, at the fread of his followers: while trying to force his way into the town hall, where a conference was in progress. The Basly men accuse the others of be-

ing anarchists and revolutionaries, and the latter accuse the Basiyots of being traitors to the cause of labor. Many of the Broutchouxistes are on their way to Bethune to demand the release of their leader, who is incorporated their who is incarcerated there.

M. Clemenceau, Minister of the Interior, has telegraphed demanding the details of

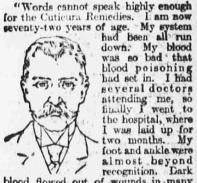
Broutchoux's arrest.

Late reports from Lens say the day
passed quietly. The hostllity between the
two factions of the strikers seems likely to
operate against rioting. M. Basiy, who is
Deputy from and Mayor of Lens, besides being the leader of the miners' union, is regarded as a moderating influence.

TIRED OF LIFE AWFUL SUFFERING

From Dreadful Pains From Wound on Foot-System All Run Down After Six Months' Agony-Not Able to Work - Completely Cured in Two Weeks

MIRACULOUS CURE BY CUTICURA REMEDIES



the hospital, where I was laid up for two months. My foot and ankle wer almost beyond recognition. Dark blood flowed out of wounds in many places, and I was so disheartened that thought surely my last chance was slowly leaving me. As the foot did not improve, you can readily imagine how I felt. I was simply disgusted and tired of life. I stood this pain, which was dreadful, for six months, and during this time I was not able to wear a shoe and not able to work.

wear a shoe and not able to work.

"Some one spoke to me about Caticura. The consequences were I bought
a set of the Cuticura Remedies of
one of my friends who was a druggist, and the production is beyond
description; it seemed a miracle,
for the Cuticura Remedies took
effect immediately. I washed the foot
with the Cuticura Seap before applying
the Ointment and I took the Resolvent
at the same time. After two weeks treatat the same time. After two weeks' treatment my foot was healed completely. People who had seen my foot during my illness and who have seen it since the cure, can hardly believe their own eyes." Robert Schoenhauer,

Newburgh, N. Y. Aug. 21, 1905. Sold throughout the world. Oriecus Song, 25c., Gris-ment, Mac., Basolvent, Mc. (in fourn-of Chocolate Octave Fills, 22c., per visit of 60°; may be hed of all drugging. South Drug & Chem. Corp., Solve Prope., South, Man. 22r Mailed Free, "The Jones Alla Books"